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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,617	01/16/2001	Konata Stinson	3885-4001US2	5300

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EXAMINER

BURGE, LONDRA C

ART UNIT	PAPER NUMBER
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2178

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DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/761,617

Applicant(s)

STINSON, KONATA

Examiner

Londra C Burge

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ^{One (55H)} 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-16-2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-133 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-133 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications filed: original application filed 1/16/2001 and IDS filed 7/11/2001.
2. Claims 1 – 133 are pending. Claims 1, 8, 15, 22, 29, 33, 67, 98, and 133 are independent claims.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. **Claims 1-7**, drawn to A method of using a computer system to graphically display search results, classified in class 707, subclass 3.
Claims 8-14, drawn to A system of using a computer to graphically display search results, classified in class 707, subclass 3.
Claims 15-21, drawn to A method of using a computer system for searching for relevant data, classified in class 707, subclass 3.
 - II. **Claims 22-28**, drawn to A system of using a computer to search for information, classified in class 345, subclass 854.
 - III. **Claims 29-32**, drawn to A method comprising ; using a computer display help information, classified in class 345, subclass 705.
 - IV. **Claims 33-66**, drawn to An interaction computer interface invocable application program responsive application module commands, classified in class 715, subclass 501.1.
 - V. **Claims 67-97**, drawn to A method of using a computer to display data, classified in class 715, subclass 526.

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- VI. **Claims 98-133**, drawn to 97, In memory, an interaction interface invocable by an application program responsive to user selections to invoke application module commands, classified in claim 345, subclass 530

The inventions are distinct, each from the other because of the following reasons:

4. The inventions I, II, III, IV, V and VI are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are defined as

Group I – drawn to A method of using a computer system to graphically display search results, A system of using a computer to graphically display search results and A method of using a computer system for searching for relevant data

Group II – drawn to A system of using a computer to search for information

Group III – drawn to A method comprising ; using a computer display help information

Group IV – drawn to An interaction computer interface invocable application program responsive application module commands

Group V – drawn to A method of using a computer to display data.

Group VI – drawn to In memory, an interaction interface invocable by an application program responsive to user selections to invoke application module commands.

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5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Upon electing group IV, V, and VI Applicant is required to elect from the following species.

If group IV is elected

6. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1: Claims 34 – 40 directed to an information pool.

Species 2: Claim 41 directed to information clouds.

Species 3: Claims 42-45 directed to information crystals.

Species 4: Claims 46-53 directed to information raindrops.

Species 5: Claims 54-60 directed to a specified criterion.

Species 6: Claims 61-62 directed to a search selection.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, Claim 33 is generic.

If group V is elected

7. This application contains claims directed to the following patentably distinct species of the claimed invention:

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Species 1: Claim 68 directed to a data source.

Species 2: Claims 69-75 directed to an information pool.

Species 3: Claim 76 directed to information clouds.

Species 4: Claims 77- 80 directed to information crystals.

Species 5: Claims 81-88 directed to information raindrops.

Species 6: Claims 89-95 directed to a specified criterion.

Species 7: Claims 96-97 directed to a search selection.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, Claim 67 is generic.

If group VI is elected

8. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1: Claim 99 directed to a liquid graphic transformation.

Species 2: Claim 100-105 directed to a display area.

Species 3: Claim 106 directed to a chronological data set.

Species 4: Claim 107 directed to navigation locations.

Species 5: Claim 108-118, 130-133 directed to shapes.

Species 6: Claims 119-124 directed to a specified criterion.

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Species 7: Claims 125-126 directed to a search selection.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, Claim 98 is generic.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after election, applicant must indicate which are readable upon the elected species. MPEP 809.02(a).

Should applicant transverse on the ground that the species are not patentably distinct, applicant should submit evidence or identity such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In wither instance, if the examiner finds one on the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C 103(a) of the other invention.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Londra C Burge whose telephone number is 703-305-8784. The examiner can normally be reached on 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Londra C Burge
5/10/2004


STEPHEN S. HONG
PRIMARY EXAMINER